

Entered - 02-04-02 - sb  
02L0111 - ALEXIS HOLMES

02-R -0412

ADOPTED BY  
MAR 18 2002  
COUNCIL

CLAIM OF: **AIG RECOVERY AGENTS FOR AIU  
INSURANCE COMPANY AS SUBROGEE OF  
JAMES A. MOSHER**  
161 Wilmington-West Chester Pike  
Chadds Ford, PA 19317-0908

For damages alleged to have been sustained as a result of a vehicular  
accident on June 28, 2001 at I-75-85 Northbound Expressway, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

**BE IT RESOLVED** by the Council of the City of Atlanta that the  
action of the Department of Law be approved in authorizing payment  
to **AIG RECOVERY AGENTS FOR AIU INSURANCE AS  
SUBROGEE OF JAMES MOSHER** the sum of **\$2000,00** in full  
settlement and satisfaction of all claims, past, present and future, of  
every kind and character for damages alleged to have been  
sustained as a result of a vehicular accident on June 28, 2001 at I-  
75-85 Northbound Expressway, SW as is more particularly set forth  
in the within claim; said sum taken from and charged to account  
1J01/529017/T31001, Settlement of Suits and Claims, Department of  
Law.

APPROVED: ROSALIND RUBENS NEWELL  
INTERIM CITY ATTORNEY

BY:

ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

## FAVORABLE REPORT

COMM: Public Safety

DATE: 3-12-02

CHAIR: [Signature]

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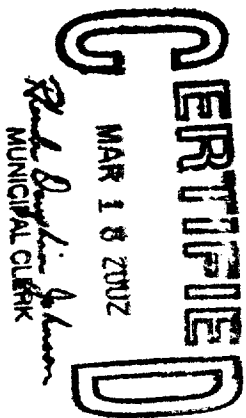
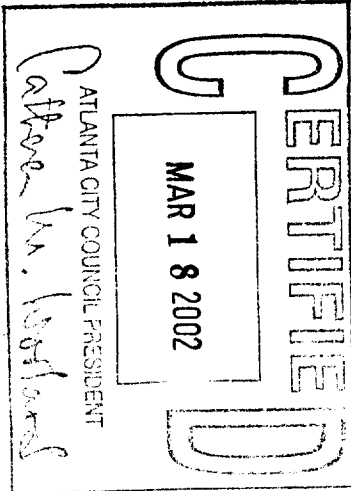
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MAR 26 2002  
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**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-0412**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **AIG Recovery Agents for AIU Insurance Company as subrogee of James A. Mosher** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicle accident on June 28, 2001 at I-75 at-85 Northbound Expressway, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 18, 2002  
MAR 26, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0111

Date: 02/26/02

Claimant /Victim AIG RECOVERY AGENTS FOR AIU INSURANCE COMPANY AS SUBROGEE OF  
BY: (Atty)(Ins.) JAMES A. MOSHER  
Address: 161 Wilmington-West Pike Chadds Ford, PA 19317-0908  
Subrogation: X Claim for Property damage \$ 10,389.76 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 7/11/01 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 6/28/01 Place: I 75-85 Northbound Expressway, SW  
Department Public Works Division: Sewer Operations  
Employee involved Wendzell D. Handspike Disciplinary Action: Pending

**NATURE OF CLAIM:** The claimant sustained damage to his vehicle when he was struck from behind by the driver of a City vehicle that was experiencing brake problems.

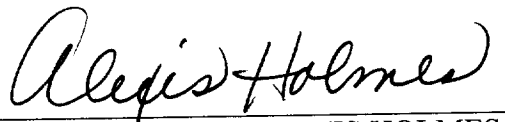
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Other \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver Pending Claimant Driver \_\_\_\_\_

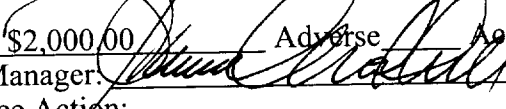
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

**RECOMMENDATION:**

Pay \$ \$2,000.00 Advise \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 02-01-02  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3628  
3/18/02  
3:49 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs 1-13; Except 02-O-0167; 02-O-0458

ADOPT

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 11  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell	ITEM (S) REMOVED FROM
Y Starnes	Y Fauver	B Martin	Y Norwood	<u>CONSENT AGENDA</u>
NV Young	Y Shook	Y Maddox	Y Willis	02-O-0167
Y Winslow	Y Muller	N Boazman	NV Woolard	02-O-0458

**CORRECTED COPY**

CONSENT I

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 02-O-0361
2. 02-O-0456
3. 02-O-0465
4. 02-O-0466
5. 02-O-0468
6. 02-O-0469
7. 02-O-0335
8. 02-O-0336
9. 02-O-0462
10. 02-O-0342
11. 02-O-0378
12. 02-O-0251
13. 02-O-0324
14. 02-O-0346
15. 02-O-0254
16. 02-O-0352
17. 02-R-0165
18. 02-R-0382
19. 02-R-0407
20. 02-R-0483
21. 02-R-0484
22. 02-R-0194
23. 02-R-0482
24. 02-R-0252
25. 02-R-0388
26. 02-R-0391
27. 02-R-0409

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

28. 02-R-0446
29. 02-R-0448
30. 02-R-0449
31. 02-R-0472
32. 02-R-0395
33. 02-R-0406
34. 02-R-0412
35. 02-R-0413
36. 02-R-0414
37. 02-R-0415
38. 02-R-0416
39. 02-R-0417
40. 02-R-0418
41. 02-R-0419
42. 02-R-0420
43. 02-R-0421
44. 02-R-0422
45. 02-R-0423
46. 02-R-0447

**ITEMS ADVERSE  
ON CONSENT  
AGENDA**

47. 02-R-0410
48. 02-R-0411
49. 02-R-0424
50. 02-R-0425
51. 02-R-0426
52. 02-R-0427
53. 02-R-0428
54. 02-R-0429
55. 02-R-0430
56. 02-R-0431
57. 02-R-0432
58. 02-R-0433
59. 02-R-0434
60. 02-R-0435
61. 02-R-0436
62. 02-R-0437
63. 02-R-0438
64. 02-R-0439
65. 02-R-0440
66. 02-R-0441
67. 02-R-0442
68. 02-R-0443
69. 02-R-0444
70. 02-R-0445